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8 Francisco Torres-Felix

**\*E-FILED - 10/15/09\***

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICAN,

No. CR-07-00106-RMW

Plaintiff,  
vs.

FIRST AMENDED  
STIPULATION TO CONTINUE  
SENTENCING DATE AND  
ORDER

FRANCISCO TORRES-FELIX,

Defendant.

/

The above listed parties stipulate as follows:

1. Defendant Francisco Torres-Felix requested and was granted an order to continue his sentencing date from 9/28/09 at 9:00 a.m. to 10/13/09 at 9:00. After filing said request defense counsel learned that all members of the government team would not be able to make this date. Defense counsel left a telephone message with the courtroom clerk advising her of same, and that an updated request would be filed.

2. The previous request for a continuance had been a defense request based on a need for time to file a sentencing memo and

1 meet with Mr. Torres-Felix with an interpreter.

2 2. Both counsel request that the Court set 10/26/09 at 9:00 a.m.  
3 as the sentencing date and time.

4  
5 Therefore the parties respectfully request that the Court  
6 continue defendant's sentencing from October 13, 2009 to October  
7 26, 2009 at 9:00 a.m.

8 IT IS SO STIPULATED

9 /s/  
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Dated: 10/6/09

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11 Jack Gordon  
12 Attorney for Defendant

13 Dated: 10/6/09

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14 Grant Fondo  
15 Assistant U.S. Attorney

16 [] ORDER

17 Having considered the stipulation of the parties, and good  
18 cause appearing, the Court orders that defendant Francisco  
19 Torres-Felix sentencing is continued from October 13, 2009 to  
20 October 26, 2009 at 9:00 a.m.

21 IT IS SO ORDERED.

22 DATED: 10/15/09

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The Honorable Ronald Whyte  
District Court Judge